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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,259	12/22/2003	Jeffrey Dean Lindsay	KCX-736 (18588)	4457

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EXAMINER

CRAIG, PAULA L

ART UNIT	PAPER NUMBER
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3761

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/11/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/743,259

Applicant(s)

LINDSAY ET AL.

Examiner

Paula L. Craig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13, 15-20, 22-26, 28-33 and 35-37 is/are pending in the application.
- 4a) Of the above claim(s) 15, 18, 19, 25, 28, 31 and 32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13, 16, 17, 20, 22-24, 26, 29, 30, 33 and 35-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 13, 15-20, 22-26, 28-33, and 35-37 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 October 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 27, 2006 has been entered.

Response to Arguments

2. The rejections under 35 USC 112, first paragraph, are withdrawn in light of Applicant's arguments in the response filed November 27, 2006. The rejections of Claims 14 and 27 are withdrawn as moot. As to the rejections under 35 USC 103(a) over U.S. Patent Application Publication No. 2003/0173018 to Harris in view of U.S. Patent No. 6,635,798 to Yoshioka et al., Applicant has not presented any arguments for patentability. Applicant's specification does not disclose that a plurality of loops in which the loops change size as a function of distance, combined with a change in adhesive dose as a function of distance, serves any stated purpose or solves any particular problem. Applicant's specification indicates that change in loop size is equivalent to other approaches, such as changing loop density, changing loop shape, or changing from a loop pattern to a linear bead (see specification, Figs. 1 and 3, and pages 3 and

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6-8). The claim does not require that the function be a regular function, or that the change in loop size have any particular magnitude. While Harris does not teach the size of the loops of the adhesive pattern changing as a function of distance, this feature is well known in the art. Yoshioka, U.S. Patent No. 6,436,083 to Mishima et al., and U.S. Patent No. 4,960,619 to Slautterback each teach loop size and density varying as a function of distance (Yoshioka, Figs. 1 and 4; Mishima, Fig. 1; Slautterback, Figs. 8-10). U.S. Patent No. 6,200,635 to Kwok teaches loop size and density changing as a function of distance in the cross direction (Kwok, Figs. 3-4). Note that U.S. 2001/0038039 to Schultz teaches varying the tip offset of an adhesive nozzle "on the fly" without stopping during the application of adhesive, which would change the size of the loop (Schultz, paragraphs 7, 9, and 95). It would have been obvious to one of ordinary skill in the art to modify Harris to include the size of the loops changing as a function of distance, as taught by Yoshioka.

Drawings

3. The objection to Fig. 2 of the drawings is maintained for the reasons of record. Note that Fig. 2 was objected to as not being designated by a legend such as --Prior Art-- because only that which is old is illustrated; see the prior Office Action mailed January 24, 2006.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. The rejections of Claims 13, 17, 20, 22-24, 26, 30, 33, and 35-37 under 35 U.S.C. 103(a) over Harris (2003/0173018) in view of Yoshioka (6,635,798) are maintained for the reasons of record, as well as the reasons described above in paragraph 2.
6. Claims 16 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harris in view of Yoshioka.
7. For Claims 16 and 29, Harris/Yoshioka teach all the limitations of Claim 13, as indicated above in paragraph 5. Harris teaches the adhesive filaments having a desired width (paragraph 33). Harris does not expressly teach the adhesive being applied in an amount ranging from about 1 gsm to about 100 gsm. Yoshioka teaches the adhesive being applied in an amount ranging from about 1 gsm to about 100 gsm or about 50 gsm (col. 6, lines 7-14). Adhesive amount is a result effective variable, since it affects the strength of the bonds created. The discovery of an optimum value of a result effective variable is ordinarily within the ordinary skill in the art. See *In re Boesch and Slaney*, 205 USPQ 215 (CCPA 1980).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paula L. Craig whose telephone number is (571) 272-5964. The examiner can normally be reached on M-F 8:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tatyana Zalukaeva can be reached on (571) 272-1115. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Paula L Craig
Examiner
Art Unit 3761

PLC

TATYANA ZALUKAEVA
SUPERVISORY PRIMARY EXAMINER

